

In the United States Court of Federal Claims

No. 21-2208C
(Filed: January 4, 2022)

STEVEN MELEIKA,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

ORDER

Plaintiff filed his complaint on November 22, 2021, alleging that “plaintiff needs payout from settlement the United States failed to pay plaintiff.” Compl. at 2. Plaintiff does not provide any further explanation of his claim. The government has not yet filed its response. We need not wait for a response, however, because the complaint offers no basis for the court to exercise its jurisdiction.

This court has jurisdiction over claims “against the United States founded either upon the Constitution, or any Act of Congress or any regulation of an executive department, or upon any express or implied contract with the United States, or for liquidated or unliquidated damages in cases not sounding in tort.” 28 U.S.C. § 1491(a)(1) (2012). Plaintiff must identify some substantive source of law, regulation, or contract that mandates he be paid money by the United States. *See Fisher v. United States*, 402 F.3d 1167, 1172 (Fed. Cir. 2005). We must satisfy ourselves of jurisdiction first and, if it is lacking, dismiss the case *sua sponte*. Rules of the Court of Federal Claims (“RCFC”) 12(h)(3).

Plaintiff has not identified any Constitutional provision, statute, or other regulation which directs the federal government to pay him money. While *pro se* plaintiffs are given wide leeway in articulating claims, and

while the court's rules do not require great elaboration of claims, what plaintiff offers is nothing from which we could infer jurisdiction. Dismissal for lack of jurisdiction is without prejudice. If plaintiff wishes to file a new, timely, complaint that provides something to give his claim traction, we will consider it. Accordingly, the following is ordered:

1. For good cause shown, plaintiff's motion to proceed *in forma pauperis* is granted.
2. The Clerk of Court is directed to dismiss the complaint for lack of jurisdiction and enter judgment accordingly. No costs.

s/Eric G. Bruggink
ERIC G. BRUGGINK
Senior Judge